## UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

In re:	BKY No. 02-50600 ADV No. 04-5
Invision of Duluth, Inc.,	
Debtor.	
Randall L. Seaver, Trustee,	
Plaintiff,	COMPLAINT
vs.	
SLM Financial Corp.,	
Defendant.	

Randall L. Seaver, Trustee ("Trustee") of the Bankruptcy Estate of Invision of Duluth, Inc. ("Debtor") as and for his Complaint against SLM Financial Corp. ("Defendant"), states and alleges as follows:

- 1. Trustee is the duly appointed Chapter 7 Trustee of the bankruptcy estate of the Debtor.
- 2. This bankruptcy case was commenced on July 24, 2002 by the filing of a Chapter 11 petition and was converted to a case under Chapter 7 on December 23, 2002.
- 3. This adversary proceeding is a core proceeding within the meaning of 28 U.S.C. \$157(b)(2).
- 4. This court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§157 and 1334. This case arises under 11 U.S.C. §§549 and 550.

5. The Defendant is an insider of the Debtor.

COUNT 1

6. Plaintiff realleges and reaffirms paragraph 1 through 5 above.

7. After commencement of this bankruptcy case, the Debtor made unauthorized

payments and payments on account of pre-petition debt to the Defendant in the amount of not

less than \$10,000. A copy of a check by which a \$10,000 post-payment was made is attached

hereto as Exhibit A.

8. Said payments made the Defendant were unauthorized and recoverable by the

Trustee pursuant to 11 U.S.C. §§549 and 550.

WHEREFORE, Plaintiff respectfully requests that this Court makes its Order:

1. Avoiding post-petition transfers of not less than \$10,000 in funds to the Defendant

preserving those transfers for the benefit of the bankruptcy estate and entering judgment against

Defendant in the amount of not less than \$10,000; and

2. Awarding the Plaintiff his costs and disbursements in this action and any other or

further relief as the court deems just and equitable.

FULLER, SEAVER & RAMETTE, P.A.

Dated: July 14, 2004 By: <u>/e/ Randall L. Seaver</u>

Randall L. Seaver 152882 12400 Portland Avenue South, Suite 132 Burnsville, MN 55337

(952) 890-0888

Attorneys for Plaintiff

2

CONNECTIONS POINT COMPUTER 1025 LONDON ROAD Duluth, MN 55802

NORWEST BANK MINNESOTA, NATIONAL 6TH ST & MARQUETTE AVE MINNEAPOLIS, MN 55479 0

11353

07/19/2002

PAY TO THE SLM Financial Corp.

\$10000.00

\*\* Ten Thousand and 0/100 \*\*\*\*\*\*\*

**DOLLARS** 

**MEMO** 

FEDERAL RESERVE BOARD OF

2096147

\$10000.00

01-22 Refusio

060074696 300 t9 t092 t675

Verbally authorized by your depositor

150045851 102 07 0461 0694

"Oll353" "O91000019" O687484576"

"000 1000000"

#11353# #091000019#

0687484576#

"000 1000000"

DO NOT WRITE STARF (IH SIGN BELOW IHIS I RESERVED FOR FIRANCIAL INSTITUTION USE:

EXHIBIT A

